

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Boeckl et al.	Group Art Unit: 3721
Application No: 10/609,132 Confirmation No: 6677	Examiner: Louis K. Huynh
Filed: June 26, 2003	Attorney Docket No: NK.0133.00
Title: CONTROLLING THE FLOW OF A POWDER	May 13, 2008 San Francisco, California 94107

PETITION TO CORRECT NAME OF FIRST INVENTOR

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Examiner:

This petition is being filed to correct the spelling of the last name of the first inventor in the above-referenced application. The inventor's last name has been misspelled on documents throughout the application; however, in some documents, such as the Declaration and cover sheet of the new patent application, the last name was spelled correctly.

Attached are the following documents to illustrate the various discrepancies in the inventor's last name: 1) Cover Sheet of new application as filed (spelled correctly as "Boeckl"); 2) Power of Attorney and Correspondence Address Indication Form (spelled incorrectly as "Boeckle"); 3) Declaration (spelled correctly as "Boeckl"); and 4) Inventor Information on Application Data Sheet (spelled incorrectly as "Boeckle").

Certificate of Transmission

I hereby certify that this correspondence is being electronically transmitted on the date shown below.

By: 

Leslie Mills

Date: May 15, 2008

Although the misspellings are partially errors on the Applicant's part; the inventor's name was spelled correctly on the cover sheet of the application and on the Oath/Declaration which was signed by the inventor. The inventorship error occurred without deceptive intention on the part of the above-named inventor.

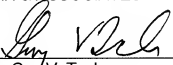
Therefore, applicant respectfully requests that the inventor's full name be spelled correctly as "Andrew J. Boeckl."

If there is a fee involved or any forms required other than this petition in order to correct the inventor's name, Applicant asks to be so informed. The Commissioner is hereby authorized in this petition to charge any fees required to Deposit Account No. 10-0258 in order to correct the name of the inventor.

Respectfully submitted,

JANAH & ASSOCIATES

Dated: 15 MAY 2009

By: 
Guy V. Tucker
Reg. No. 45,302

Please send all correspondence to:
Guy Tucker
Janah & Associates
650 Delancey Street, Suite 106
San Francisco, CA 94107
Phone: (415) 538-1555
Fax: (415) 538-8380

United States Patent Application for:

Controlling the Flow of a Powder

Inventors:

- 1) Andrew J. Boeckl *Correct*
a citizen of the United States of America;
517 Cambridge St.
Belmont, CA 94002;
- 2) Dale W. Ploeger
a citizen of the United States of America
325 Marmona Dr.
Menlo Park, CA 94025;
- 3) Derrick J. Parks
a citizen of the United States of America;
2622 Lincoln Ave.
Belmont, CA 94002;
- 4) Gordon Stout
a citizen of the United States of America;
7825 Burns Ct.
El Cerrito, CA 94530; and
- 5) Diane Brannigan
a citizen of the United States of America;
1025 Geraldine Way #12
Belmont, CA 94002.

Assignee:

Nektar Therapeutics
(formerly Inhale Therapeutic Systems, Inc.)
150 Industrial Road
San Carlos, CA 94070

Entity:

Large Entity

Docket No.:

0133.00

CERTIFICATE OF EXPRESS MAILING:

"Express Mail" mailing label number EU227015928US Date of Deposit June 26, 2003

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Patent Application, Assistant Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

Kathy Honnert
Name of Person Mailing Paper

Kathy Honnert
Signature of Person Mailing Paper

AUG 16 2007

PTO/SB/61 (01-06)

Approved for use through 12/31/2008 OMB 3551-0035
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

Application Number	10/609,132
Filing Date	June 26, 2003
First Named Inventor	Andrew J. BOECKLE
Title	CONTROLLING THE FLOW OF A POWDER
Art Unit	3721
Examiner Name	Louis K. HUYNH
Attorney Docket Number	0133.00

incorrect

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

☒ Practitioners associated with the Customer Number:

21968

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

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☐ Firm or
Individual Name

Address

City

State

Zip

Country

Telephone

Email

I am the:

☐ Applicant/inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/66)

SIGNATURE OF Applicant or Assignee of Record

Signature	<i>Mark A. Wilson</i>	Date	August 16, 2007
Name	Mark A. Wilson	Telephone	(650) 631-3100
Title and Company	Senior Patent Counsel & Assistant Secretary		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 422 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preserving, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Please type a plus sign (+) inside this box \div $\boxed{+}$

PTO/SB01 (12-87)
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DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

☐ Declaration Submitted with Initial Filing OR ☒ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	0133.00
First Named Inventor	Boeckl, Andrew J.
COMPLETE IF KNOWN	
Application Number	10/609,132
Filing Date	June 26, 2003
Group Art Unit	
Examiner Name	

Correct

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

CONTROLLING THE FLOW OF A POWDER

the specification of which
☐ is attached hereto
OR
☒ was filed on (MM/DD/YYYY) June 26, 2003 as United States Application Number or PCT International

Application Number 10/609,132 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 356(b) of any foreign application(s) for patent or inventor's certificate, or 356(e) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking this box, any foreign application for patent or inventor's certificate, or of any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?
			YES <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	NO <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.☒ I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	
60/392,076	06/27/2002	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

(Page 1 of 2)

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Civil Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

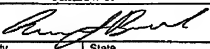

PTO/SB/01 (3-93)

Approved for use through 07/31/2006 OMB 0851-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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DECLARATION — Utility or Design Patent Application

Direct all correspondence to: <input checked="" type="checkbox"/> Customer Number: <u>21968</u>		OR <input type="checkbox"/> Correspondence address below	
Name			
Address			
City		State	ZIP
Country	Telephone	Fax	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that those statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any)) <u>Andrew J.</u>		Family Name or Surname <u>Boeckl</u> <i>Correct</i>	
Inventor's Signature 		Date <u>13 OCT 03</u>	
Residence: City <u>Belmont</u>	State <u>CA</u>	Country <u>U.S.A.</u>	Citizenship <u>U.S.A.</u>
Mailing Address <u>517 Cambridge Avenue</u>			
City <u>Belmont</u>	State <u>CA</u>	ZIP <u>94002</u>	Country <u>U.S.A.</u>
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any)) <u>Dale W.</u>		Family Name or Surname <u>Pineger</u>	
Inventor's Signature 		Date <u>01 OCT 03</u>	
Residence: City <u>Menlo Park</u>	State <u>CA</u>	Country <u>U.S.A.</u>	Citizenship <u>U.S.A.</u>
Mailing Address <u>325 Marmona Drive</u>			
City <u>Menlo Park</u>	State <u>CA</u>	ZIP <u>94025</u>	Country <u>U.S.A.</u>
<input checked="" type="checkbox"/> Additional inventors or a legal representative are being named on the <u>1</u> supplemental sheet(s) PTO/SB/02A or 02UR attached hereto.			

[Page 2 of 2]

PTO/SB/02A (03-03)

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DECLARATION

ADDITIONAL INVENTOR(S)
Supplemental Sh et

Page 1 of 1

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Derrick J.		Parks	
Inventor's Signature <i>Derrick J. Parks</i>		Date 03 OCT 03	
Residence: City Belmont	State CA	Country U.S.A.	Citizenship U.S.A.
Mailing Address 2622 Lincoln Avenue			
Mailing Address			
City Belmont	State CA	Zip 94002	Country U.S.A.
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Diane		Brammigan	
Inventor's Signature		Date	
Residence: City Belmont	State CA	Country U.S.A.	Citizenship U.S.A.
Mailing Address 1025 Geraldine Way #12			
Mailing Address			
City Belmont	State CA	Zip 94002	Country U.S.A.
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address			
Mailing Address			
City	State	Zip	Country

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/02A (06-03)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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DECLARATION

ADDITIONAL INVENTOR(S)
Supplemental Sheet

Page 1 of 1

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Derrick J.		Parks	
Inventor's Signature		Date	
Residence: City Belmont	State CA	Country U.S.A.	Citizenship U.S.A.
Mailing Address 2622 Lincoln Avenue			
Mailing Address			
City Belmont	State CA	Zip 94002	Country U.S.A.
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Diane		Brannigan	
Inventor's Signature <i>D Brannigan</i>		Date 10/4/03	
Residence: City Belmont	State CA	Country U.S.A.	Citizenship U.S.A.
Mailing Address 1205 Geraldine Way #12			
Mailing Address			
City Belmont	State CA	Zip 94002	Country U.S.A.
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address			
Mailing Address			
City	State	Zip	Country

This collection of information is required by 35 U.S.C. 119 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1480, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Inventor Information

Inventor One Given Name:: Andrew J.
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State or Province:: California
Postal or Zip Code:: 94002
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Family Name:: Ploeger
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Citizenship Country:: U.S.A.

Inventor Three Given Name:: Derrick J.
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Inventor Four Given Name:: Gordon
Family Name:: Stout
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State or Province:: California
Postal or Zip Code:: 94530
Citizenship Country:: U.S.A.